

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 6, 2010**

DIVISION ONE

B210458      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
T.O.

The order of the juvenile court is affirmed.

Rothschild, J.

We concur:   Mallano, P.J.  
                      Johnson, J.

[illegible]

The judgment is modified to strike the one year prior term enhancement (§ 667.5, subd. (b)) on count 3. The case is remanded for resentencing in accordance with the Three Strikes Law on count 3. In all other respects, the judgment is affirmed.

Johnson, J.

We concur:   Mallano, P.J.  
                      Rothschild, J.

January 6, 2010 (Continued)

### DIVISION THREE

B214680      Davis      (Not for Publication)  
v.  
Acuff

The order is reversed. Each party to bear its costs of appeal.

Aldrich, J.

We concur:   Croskey, Acting P.J.  
                  Kitching, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J. and D. Nolan, Deputy Clerk.

B215821      People v. Moreno

Argument waived, cause submitted.

B216402      People  
v.  
Marcel Onate

Merits:

Argued by Sara Zalkin for appellant and by Sharlene Honnaka, deputy attorney general for respondent. Submission deferred, additional briefing due by January 21, 2010. Cause to be submitted on January 22, 2010.

B213213      People  
v.  
Jose Hernandez

Merits:

Argued by Lawrence Young for appellant and by E. Carlos Dominguez, deputy attorney general for respondent. Cause submitted.

DIVISION FIVE (continued)

B213743     George Deitch  
              v.  
              Wizard Gaming, Inc.,

Merits:

Argued by Alan L. Isaacman for appellant and by Thomas J. Borchard for respondent. Cause submitted.

B20742     Alicia Benham  
              v.  
              S&J Security and Investigaion, Inc.

Merits:

Argued by Bradley S. Pauley for appellant and by V. James DeSimone for respondent. Cause submitted.

B213777     Jefferson Wells International, Inc.  
              v.  
              American Reprographics Company

Merits:

Argued by Russel H. Rapoport for appellant and by Erik M. Andersen for respondent. Cause submitted.

Court recessed.

Court reconvened at 11:00 am.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J. and D. Nolan, Deputy Clerk.

Each of the following:

B217237     DCFS v. T.S.  
B216678     DCFS v. J.P.  
B209654     People v. Gomez  
B217756     DCFS v. L.C.

Argument waived, cause submitted.

DIVISION FIVE (continued)

B210322     Delta Marketing, Inc.  
              v.  
              Takis Stathoulis

Merits:

Argued by Harrison G. Long for appellant and by Eric Demler for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:00 p.m.

Present: Armstrong, Acting P.J., Mosk, J. and D. Nolan, Deputy Clerk.

B212235     Cindy Wiese  
              v.  
              Kelly Owen

Merits:

In open court, both parties stipulate that they will argue the case without Justice Kriegler present. Argued by John G. Derrick for appellant and by Christopher G. Weston for respondent. Cause submitted.

Court adjourned.

B281276     People  
              v.  
              Darryl Duncan

Filed order denying petition for rehearing.

## DIVISION SIX

B211878 Shaw (Not for Publication)  
v.  
Shaw

The judgment is affirmed. Counsel for respondent is awarded costs on appeal.

Coffee, J.

We concur: Yegan, Acting P.J.  
Perren, J.

B217810      People      (Not for Publication)  
v.  
N.A.

The order appealed from is affirmed.

Coffee, J.

We concur:    Gilbert, P.J.  
                         Yegan, J.

B217323      People      (Not for Publication)  
v.  
Schmidt

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.  
Perren, J.

## DIVISION SIX (continued)

B217794      People  
v.  
Vue

Filed order granting motion to dismiss appeal.

## DIVISION SEVEN

B207102      People      (Not for Publication)  
v.  
Atshemyan

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Woods, J.

B213655      Waites Earl Williams, Jr.      (Not for Publication)  
v.  
Arnetta Dean Williams

The judgment and order are affirmed. Respondent to recover her costs of appeal.

Jackson, J.

We concur: Woods, Acting P.J.  
Zelon, J.

## DIVISION SEVEN (continued)

B214212      James Ha      (Not for Publication)  
v.  
Hyon Mi Yi, et al.

The order is affirmed. Cross-defendants are awarded their costs of appeal.

Jackson, J.

We concur: Woods, Acting P.J.  
Zelon, J.

B208629      People  
v.  
Hill

Filed order denying petition for rehearing.

B210251 People  
v.  
Rosales

Filed order granting petition for rehearing. The Court will advise the parties if further briefing or oral argument is required.

January 6, 2010 (Continued)

## DIVISION EIGHT

B208506      People      (Not for Publication)  
v.  
Marlin L. Royal

The judgment is modified by staying execution of the sentence imposed on count 2. The superior court is directed to prepare an amended abstract of judgment and forward it to the Department of Corrections. As modified, the judgment is affirmed.

Mohr, J. (Assigned)

We concur: Flier, Acting P.J.  
Bigelow, J.